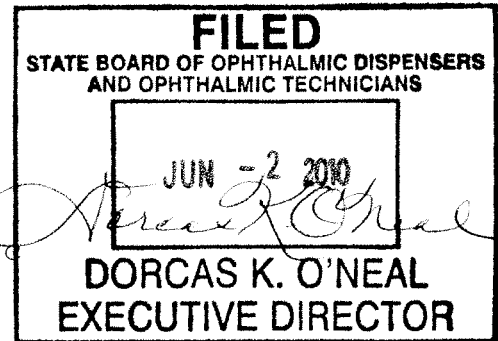


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF OPHTHALMIC DISPENSERS AND  
OPHTHALMIC TECHNICIANS

IN THE MATTER OF	:	
	:	ADMINISTRATIVE ACTION
JESSICA MARKLEY	:	
	:	<b>CONSENT ORDER</b>
ENGAGING IN THE UNLICENSED	:	
PRACTICE OF OPHTHALMIC	:	
DISPENSING IN THE STATE OF	:	
NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians (the "Board") upon receipt of information which revealed that Jessica Markley (Respondent), an employee at OPTICA, located at 1200 Morris Turnpike, Suite D229, Short Hills and Garden State Plaza, West State Route 4, Suite 114, Paramus, New Jersey, practiced ophthalmic dispensing without a license from September 2008 until November 18, 2009. The investigation revealed a probable violation of N.J.S.A. 52:17B-41.18.

Having reviewed the entire record, including an inspection report from the Division of Consumer Affairs, Enforcement Bureau, the Board found that Respondent practiced ophthalmic dispensing without a license from September 2008 until November 18, 2009. These facts establish a violation of N.J.S.A. 52:17B-41.18. It appearing that the parties desire to resolve this matter without recourse to formal proceedings, respondent waiving any right to a hearing and for good cause shown,

IT IS ON THIS 05 DAY OF 12<sup>TH</sup>, 2010

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall immediately cease and desist from engaging in, or holding herself out as engaging in, the practice of ophthalmic dispensing in the State of New Jersey unless or until she is licensed by the Board.

2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22 and 45:1-25, in the amount of \$10,000.00 for practicing as an ophthalmic dispenser without a license. Provided that respondent complies with all of the terms of this Consent Order, the civil penalty shall be stayed. Payment of the civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and sent to Dorcas O'Neal, Executive Director, New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians, P.O. Box 45011, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

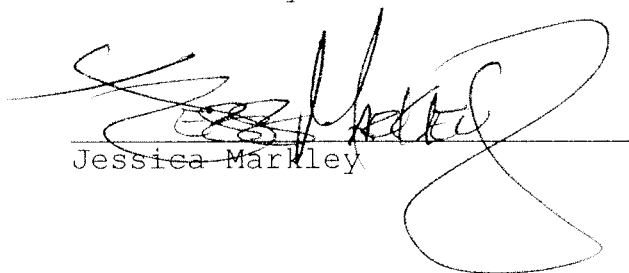
3. Failure to remit any payment as required by this Consent

Order will result in the filing of a Certificate of Debt, and such collection and other proceedings as permitted by law.

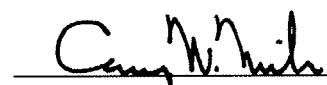
NEW JERSEY STATE BOARD OF OPHTHALMIC  
DISPENSERS AND OPHTHALMIC TECHNICIANS

By:   
Linda Cohen, President

I have read and I understand  
this Consent Order and agree to  
be bound by its terms. I consent  
to the entry of this Order.

  
Jessica Markley

Consent as to form and entry of this Order:

  
Cary W. Miller, Esq.  
Hooper, Lundy & Bookman, Inc.  
Attorney for Jessica Markley